

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN**

REBECCA FRISKE, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

BONNIER CORPORATION, a Delaware  
corporation,

Defendant.

Case No. 16-cv-12799-DML-EAS

District Judge David M. Lawson  
Magistrate Judge Elizabeth A.  
Stafford

**DECLARATION OF GARY F. LYNCH IN SUPPORT OF  
PLAINTIFF'S UNOPPOSED MOTION TO CERTIFY  
SETTLEMENT CLASS AND APPOINT SETTLEMENT CLASS COUNSEL**

I, Gary F. Lynch, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am an adult over the age of 18, a resident of the Commonwealth of Pennsylvania, and a partner at Carlson Lynch Sweet Kilpela & Carpenter, LLP.
2. I have personal knowledge of all matters asserted herein, and if called to testify, could do so competently.
3. This action was filed on July 29, 2016, *see* Dkt. No. 1, and an amended complaint was filed on November 07, 2016, *see* Dkt. No. 7.
4. Bonnier filed a motion to dismiss, *see* Dkt. No. 11, which the parties fully briefed, *see* Dkt. Nos. 12, 17 and 20.
5. Plaintiff served discovery on Bonnier when the motion was pending.

6. After discovery was served, the parties began engaging in settlement discussions.

7. After numerous settlement discussions, the parties agreed to mediate their dispute and the Court entered a formal order on April 29, 2017, referring the case to mediation. *See* Dkt. No. 21.

8. The mediation was conducted by Jed D. Melnick at JAMS in New York City, and the parties exchanged mediation briefs and informal information in order to prepare for and conduct the mediation.

9. After a full day of mediation, follow-up work with the mediator, and various arms-length negotiations spanning several months, the parties ultimately reached an agreement in principal.

10. Subsequently, the parties executed a settlement agreement, which would cover a class of approximately 126,240 Michigan persons who purchased a subscription to a magazine published by Bonnier, from July 28, 2010 until the date of the filing of this motion, where such subscription was not purchased through a third-party subscription agent.

11. My firm, Carlson Lynch Sweet Kilpela & Carpenter, LLP (“CLSKC”), and the Law Offices of Daniel O. Myers (“LODM”), have a wealth of experience litigating consumer class actions.

12. CLSCK and LODM have been involved in numerous consumer protection lawsuits throughout the country, have the resources and skill to litigate these cases, and have litigated this case thoughtfully and engaged in months-long negotiations to achieve the result currently before the Court. *See* Firm Resumes attached as Exhibits A-B.

13. CLSKC and LODM have and will, both individually and collectively, devoted substantial time and resources to the prosecution and settlement of this action.

I declare under penalty of perjury that the above and foregoing is true and accurate.

Executed this August 31, 2017, Pittsburgh, Pennsylvania.

/s/ Gary F. Lynch  
Gary F. Lynch  
CARLSON LYNCH SWEET  
KILPELA & CARPENTER, LLP  
1133 Penn Avenue, 5th Floor  
Pittsburgh, PA 15222  
(412) 322-9243

**CERTIFICATE OF SERVICE**

I hereby certify that on Thursday, August 31, 2017, I electronically filed the foregoing document with the Clerk of Court using the Court's ECF filing system, which will send notification to the following:

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/s/ Gary F. Lynch

Gary F. Lynch